



**DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR ASSISTING WITH BACKUPS AND RESTORE OPERATIONS  
OVER DIFFERENT COMMUNICATION CHANNELS**

the specification of which (check one):

☒ [ X ] is attached hereto.      ☐ [ ] was filed \_\_\_\_\_ as Serial No. \_\_\_\_\_;  
amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim foreign priority benefits under Title 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>		<u>Date Filed</u>	<u>Priority Claimed</u>	
_____ (Number)	_____ (Country)	_____ (Day/Month/Year)	<input type="checkbox"/> [ ] Yes	<input type="checkbox"/> [ ] No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year)	<input type="checkbox"/> [ ] Yes	<input type="checkbox"/> [ ] No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year)	<input type="checkbox"/> [ ] Yes	<input type="checkbox"/> [ ] No

I hereby claim the benefit under Title 35 USC 120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 USC 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Patented/pending/abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Patented/pending/abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Patented/pending/abandoned)

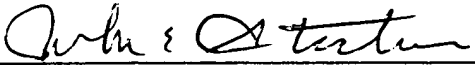

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business connected therewith in the Patent and Trademark Office, and to file with the USRO any International Application based thereon:

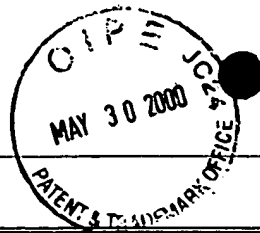
John M. Gunther, Reg. No. 26,175  
Mark J. Casey, Reg. No. 37,796  
Leanne J. Fitzgerald, Reg. No. 40,606

Address all correspondence to:

Leanne J. Fitzgerald, Esq.  
EMC Corporation  
171 South Street  
Hopkinton, MA 01748-9103  
Telephone: (508)-435-1000  
Facsimile: (508)-497-6915

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Full Name of Sole/First Inventor:</b> John E. Stockenberg			
<b>City of Residence</b> Norfolk	<b>State or Country</b> Massachusetts	<b>Country of Citizenship</b> USA	
<b>Post Office Address</b> 42 Grove Street	<b>City</b> Norfolk	<b>State or Country</b> Massachusetts	<b>Zip Code</b> 02056
<b>Signature: (Please sign and date in permanent ink)</b> X 		<b>Date signed:</b> X 3/30/98	
<b>Full name of Second Joint Inventor:</b> William J. Elliott, IV			
<b>City of Residence</b> Leominster	<b>State or Country</b> Massachusetts	<b>Country of Citizenship</b> USA	
<b>Post Office Address</b> 183 Willard Street, Apt. 105	<b>City</b> Leominster	<b>State or Country</b> Massachusetts	<b>Zip Code</b> 01453
<b>Signature: (Please sign and date in permanent ink)</b> X 		<b>Date signed:</b> X 3/30/98	



FORM PTO-1595U.S.  
12/22/94

RECORDATION FORM COVER SHEET  
PATENTS ONLY

DEPARTMENT OF COMMERCE  
Patent and Trademark Office

**Box Assignments**  
**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

☒ Express Mail No. EF184016813US  
☐ Certified Mail

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

John E. Stockenberg  
William J. Elliott, IV

2. Name and address of receiving party(ies):

Name: EMC Corporation

Internal Address: \_\_\_\_\_

Additional names of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of Conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Street Address: 171 South Street  
Hopkinton, MA 01748-9103

Additional name(s) & address(es) attached? ☐ Yes ☒ No

Execution Date: March 31, 1998

4. Application number (s) or patent number (s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Leanne J. Fitzgerald, Esq.  
EMC Corporation  
171 South Street  
Hopkinton, MA 01748-9103

6. Total number of applications and patents involved: ☒ 1

7. Total fee (37 CFR 3.41): ..... \$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number: 05-0889

(Attach duplicate copy of this page if paying by deposit account)

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing is true and correct and my attached copy is a true copy of the original document.*

Leanne J. Fitzgerald  
Name of Attorney of Record

Signature [Signature]

3/31/98  
Date

Attorney Registration No. 40,606

Total number of pages including cover sheet, attachments and document: ☐ 1

## **ASSIGNMENT**

In consideration of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, we, John E. Stockenberg, residing at 42 Grove Street, Norfolk, Massachusetts 02056, and William J. Elliott, IV, residing at 183 Willard Street, Apartment 105, Leominster, Massachusetts 01453, hereby sell and assign to EMC CORPORATION, having a principal place of business at 171 South Street, Hopkinton, Massachusetts 01748-9103, its successors and assigns, the entire right, title and interest, including the right to claim priority under the International Convention, throughout the United States, its territories and all foreign countries in and to our invention in

### **METHOD AND SYSTEM FOR ASSISTING WITH BACKUPS AND RESTORE OPERATIONS OVER DIFFERENT COMMUNICATION CHANNELS**

and the application for United States Letters Patent therefor executed by us on and such patents as may issue thereon, and all divisions, reissues and continuations thereof.

And we hereby covenant that we have full right to make such assignment, and agree for ourselves and our executors and administrators that we will, at the expense of said EMC CORPORATION, execute all applications for patents in foreign countries, execute all divisional, continuing, reissue and re-examination applications, make all rightful oaths, sign all lawful papers, testify in any proceeding in which said invention or any application or patent directed thereto may be involved, and generally do everything possible to aid said EMC CORPORATION, its successors and assigns, to obtain and enforce proper patent protection for said invention in the United States, its territories and all foreign countries.

And we hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue all Letters Patent on said invention or resulting therefrom to EMC CORPORATION, its successors and assigns.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals.

John E. Stockenberg

John E. Stockenberg

Date: March 30, 1998

Commonwealth of Massachusetts ) ss.  
County of )

Subscribed and sworn to before me by the above-named John E. Stockenberg  
this 30 day of March, 1998.

Diana Mulcahy

Notary Public

My Commission Expires:

Feb. 19, 2004

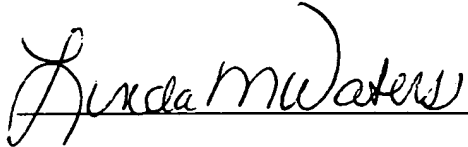
IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals.

  
\_\_\_\_\_  
William J. Elliott, IV

Date: March 30, 1998

Commonwealth of Massachusetts ) ss.  
County of )

Subscribed and sworn to before me by the above-named William J. Elliott, IV,  
this 30 day of March, 1998.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

Feb 19, 2004